

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 299

S. P. 120

In Senate, January 21, 1971

Referred to Committee on Public Utilities. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Moore of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT to Allow Electric Utilities to Participate in the Construction of
Certain Utility Facilities.**

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 35, §§ 2308 - 2310, additional. Title 35 of the Revised Statutes is amended by adding 3 new sections to read as follows:

§ 2308. Definitions

Wherever used or referred to in sections 2308 to 2310, unless a different meaning clearly appears from the context:

1. Domestic electric company. "Domestic electric company" means an electric company organized under the laws of this State;

2. Foreign electric company. "Foreign electric company" means a corporation, company, association, joint stock association or trust organized under the laws of a state other than this State, which is authorized under the laws of the state in which it is organized to generate and transmit electric energy;

3. Utility facility "Utility facility" means an item of plant used or useful in the electric utility business, and shall include, but is not limited to, such items of plant as generating stations, transmission lines, office buildings and equipment and transportation equipment.

§ 2309. Area within which domestic electric company may generate and transmit electric energy

Notwithstanding any limitation imposed by its charter, each domestic company is authorized and empowered to generate and transmit electric energy

and to acquire and operate anywhere within or without this State utility facilities or interests therein of whatever nature or form used or required to be used in its service to the public within this State, provided nothing in this section shall be construed to authorize such a company to sell electric energy in this State to any person or corporation or within any area, except as otherwise authorized by its charter or the general statutes of this State.

§ 2310. Joint ownership of facility; waiver of right to partition

Notwithstanding Title 14, chapter 719, any domestic or foreign electric company, that acquires or owns a joint or common interest with one or more other electric companies or other persons in any property which is used or acquired for use as a utility facility, may surrender or waive its right to have a partition by division or partition by sale of the property for a period which does not exceed the period for which the property is used or useful for electric utility purposes.

STATEMENT OF FACT

The intent of this bill is to allow electric utilities to participate in common ownership of utility facilities located within or without this State and to lower financing costs by waiving their right of partition as to such ownership.